

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALISE MALIKYAR,

Plaintiff,

No. C 07-03533 WHA

v.

JOHN SRAMEK, BERNADETTE  
SRAMEK, HAROLD M. JAFFE, JOHN  
S. SRAMEK, JR., and BERNADETTE  
D. SRAMEK REVOCABLE LIVING  
TRUST, and DOES 1–100,

Defendants.


**ORDER RE PLAINTIFF'S  
DEPOSITION**

The Court has received an undated letter from Mr. Wessel, counsel for defendants, which was filed on March 3, 2009. This concerns the deposition of Alise Malikyar. The Court notes that Ms. Malikyar seems to be fluent in English when she prefers to be. Nonetheless, the Court will require an interpreter to be present and the parties shall litigate later over which party must bear the burden of this expense. The burden is on Mr. Jemmott and Ms. Malikyar to front the money for the interpreter and to obtain a qualified interpreter subject to possible reimbursement later if it is determined that this expense should properly be borne by Mr. Wessel. At the time of trial, it will be fair game to point out to the jury that Ms. Malikyar has testified in English in other proceedings but refused to proceed with her deposition on February 27 unless an interpreter was obtained. If she attempts to testify at trial without the aid of an interpreter, it shall be fair game to point out the inconsistency in her tactics.

1 The deposition of Ms. Malikyar is to occur on March 11, 2009, at 9:00 a.m. at the law office  
2 of Mr. Wessel.

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4 **IT IS SO ORDERED.**

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6 Dated: March 4, 2009.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE